

2nd query

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## QUERY CONTROL FORM

RTIS USE ONLY

Application No. <u>09/408,437</u>	Prepared by <u>MPB</u>	Tracking Number <u>06000402</u>
Examiner-GAU <u>Harvey - 2828</u>	Date <u>10/8/04</u>	Week Date <u>8/23/04</u>
	No. of queries <u>1</u>	IFW/E

## JACKET

- |                      |                        |                    |                |
|----------------------|------------------------|--------------------|----------------|
| a. Serial No.        | f. Foreign Priority    | k. Print Claim(s)  | p. PTO-1449    |
| b. Applicant(s)      | g. Disclaimer          | l. Print Fig.      | q. PTOL-85b    |
| c. Continuing Data   | h. Microfiche Appendix | m. Searched Column | r. Abstract    |
| d. PCT               | i. Title               | n. PTO-270/328     | s. Sheets/Figs |
| e. Domestic Priority | j. Claims Allowed      | o. PTO-892         | t. Other       |

## SPECIFICATION

- a. Page Missing
- b. Text Continuity
- c. Holes through Data
- d. Other Missing Text
- e. Illegible Text
- f. Duplicate Text
- g. Brief Description
- h. Sequence Listing
- i. Appendix
- j. Amendments
- k. Other

## CLAIMS

- a. Claim(s) Missing
- b. Improper Dependency
- c. Duplicate Numbers
- d. Incorrect Numbering
- e. Index Disagrees
- f. Punctuation
- g. Amendments
- h. Bracketing
- i. Missing Text
- j. Duplicate Text
- k. Other

## MESSAGE

*In claim pages dated 09/24/04, original claim 3 (now claim 2) depends from original claim 19 (now claim 10). Please advise/correct claim dependency.*

*Thantaya*

initials *AM*

## RESPONSE

initials

Listing of Claims

The following listing of claims will replace all prior versions, and listings, of claims in the subject application:

Claim 1 (cancelled).

1. ~~2~~ (currently amended) The A semiconductor device according to ~~claim 19~~ comprising:

a semiconductor substrate of a first conductivity type;

a first cladding layer of said first conductivity type formed on said semiconductor substrate;

an active layer formed on said first cladding layer;

a second cladding layer of a second conductivity type formed on said active layer; and

a saturable absorbing layer formed on at least portions of at least one of said first cladding layer and said second cladding layer.

wherein said saturable absorbing layer is formed to have a band gap energy either approximately the same as, or slightly smaller than, said active layer, and also to be doped with nitrogen (N) in an amount sufficient to form a localized level,

wherein said saturable absorbing layer includes a III-V alloy material, and

wherein said saturable absorbing layer comprises at least one of As and P.

2. ~~3~~ (previously presented) The semiconductor device according to claim ~~19~~<sup>10</sup>, wherein said active layer, and said first and second cladding layers comprise AlGaInP alloy materials.